

Fiscal Estimate Narratives

DOT 10/31/01

LRB Number	01-3338/2	Introduction Number	AB-566	Estimate Type	Corrected
Subject					
Drunken driving surcharge					

Assumptions Used in Arriving at Fiscal Estimate

2001 AB 566 increases the driver improvement surcharge for OWI convictions by \$100 to \$455. The additional \$100 collected from the violator would be disbursed to the law enforcement agency that arrested the person who is convicted of a violation relating to operating a vehicle while intoxicated. These funds would be used by the recipient law enforcement agencies to purchase and maintain law enforcement equipment to assist in preventing alcohol-related and drug-related criminal activity.

There would be no additional costs to the recipient local law enforcement agencies to collect these funds from the municipal and/or circuit courts.

The State Patrol would be required to request a statutory amendment to create a program revenue appropriation to receive the OWI surcharge and deposit the funds into the account specific to funding OWI-related equipment exclusive for State Patrol use.

However, the municipal and circuit courts would incur costs in developing and performing the policies and procedures related to disbursing the collected OWI surcharge to the appropriate law enforcement agencies. Current policies and procedures direct how the courts disburse collected surcharges, fines and forfeitures to county and state treasurers for further disbursement to appropriate recipients, but they do not address disbursement to individual law enforcement agencies. There are over 600 local law enforcement agencies in Wisconsin who are potential recipients of the OWI surcharge and it is not possible to estimate the cost of developing and performing the disbursement procedures for each municipal and circuit court; costs will vary due to established procedures of individual courts and the number of potential recipient law enforcement agencies within each court's jurisdiction.

The amount of revenue received from OWI convictions on an annual basis is indeterminable. Though the Department of Transportation, Division of Motor Vehicles (DMV) recorded approximately 33,300 OWI convictions during 2000, the DMV also reports a non-payment rate for OWI convictions of approximately 37%. Thus, a potential \$3,330,000 OWI surcharge revenue, statewide, may be reduced to \$2,098,000 based the 37% non-payment rate. Any additional surcharge on OWI convictions has the potential to increase the non-payment rate, thus reducing the overall revenue actually received.

For any amount of revenue received, it is impossible to determine which law enforcement agencies would receive the funding, and how much it would cost each applicable court to disburse the surcharge funds.

Long-Range Fiscal Implications

unknown